

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JANUARY 10, 2006
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Deb Schorr, Chair
Bob Workman, Vice Chair
Bernie Heier
Ray Stevens

Commissioners Absent: Larry Hudkins

Others Present: Kerry Eagan, Chief Administrative Officer
Kristy Mundt, Deputy County Attorney
Patricia Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 1:30 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, December 20, 2005.**

MOTION: Workman moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting dated December 20, 2005. Stevens, Workman, Heier and Schorr voted aye. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

A. Southeast Community College Annual Report - Jack Huck, President

Jack Huck, President of Southeast Community College (SCC), disseminated documentation and gave an overview of the following:

- Southeast Community College Placement - 2004 Annual Graduate Placement Report (Exhibit 1) which included:
 - Placement Objectives
 - Outstanding Alumnus
 - Placement Surveys
 - Geographical Data
 - Companies and Positions
 - Placement Statistics

2) **SPECIAL PRESENTATIONS CONTINUED:**

- Success at Southeast Community College - 2004/2005 Annual Report to the residents of southeast Nebraska (Exhibit 2) including:
 - Ranking of SCC among the Top 100 community colleges
 - Academic Transfer Graduates
 - Career/Technical Graduates
 - SCC 2005-2006 Programs of Study
 - Annual Tuition and Fees
 - Transfer Student Performance
 - Enrollment
 - SCC Continuing Education
 - 2005-2006 Expenditures and Revenue
 - Local Property Tax History

B. The County-City Volunteer of the Month Award was presented to Bridget Christensen for her services with the Lincoln-Lancaster Women's Commission.

C. An exceptional circumstance award, in the amount of \$400, for Mary Meyer, an employee in the County Commissioners' Office.

Kerry Eagan, Chief Administrative Officer, gave a brief explanation of the circumstances for the request of a one time cash award for Mary Meyer.

MOTION: Workman moved and Stevens seconded approval of a one time cash award, in the amount of \$400, for Mary Meyer, an employee in the County Commissioners' Office. Stevens, Workman, Heier and Schorr voted aye. Motion carried.

3) **CLAIMS: Approval of all claims processed through Tuesday, January 10, 2006.**

MOTION: Stevens moved and Heier seconded approval of all claims processed through January 10, 2006. Workman, Heier, Stevens and Schorr voted aye. Motion carried.

4) **NEW BUSINESS:**

The Chief Deputy County Clerk indicated Gary Lacey, County Attorney, requested New Business Item 4Q be moved forward on the agenda.

4) **NEW BUSINESS CONTINUED:**

Q. Appointment of Alicia Henderson as the Chief Deputy County Attorney for the Juvenile Division, with an annual salary of \$105,335.

Alicia Henderson was introduced to the County Board by Jodi Nelson, judge designate.

MOTION: Workman moved and Heier seconded to approve the appointment of Alicia Henderson as the Chief Deputy County Attorney for the Juvenile Division, with an annual salary of \$105,335.

Stevens stated the Board has not discussed salaries for chief deputies. He indicated he was somewhat concerned that the requested salary exceeds the salary of the previous individual.

Gary Lacey, County Attorney, explained that the requested salary was a percentage of his proposed salary. He apologized for not placing the request on a staff meeting agenda for discussion stating he felt it was appropriate to fill the job as soon as possible to avoid any delays in processing cases. Lacey suggested that the salary be set at the current salary of Jodi Nelson.

Both the maker of the motion and the seconder agreed to amend the original motion and set the salary for Alicia Henderson at \$102,267.

CLARIFICATION OF MOTION: Approval of the appointment of Alicia Henderson as the Chief Deputy County Attorney for the Juvenile Division, with an annual salary of \$102,267.

ROLL CALL: Heier, Workman, Stevens and Schorr voted aye. Motion carried.

A. Applications for special events permits from the Lincoln Track Club to hold the following:

1. State Farm "Run For Your Life" road race on Saturday, March 25, 2006, beginning at 9 a.m.. The race will begin at the State Farm Regional Office, located at 222 South 84th Street and proceed south on 84th Street to the MoPac Trail to just east of 134th Street.

2. Havelock Run on Saturday, June 17, 2006, beginning at 8 a.m.. (The County portion of the route will be from Havelock Avenue to Adams Street on 84th Street.)

4) **NEW BUSINESS CONTINUED:**

MOTION: Stevens moved and Workman seconded approval of two applications for special events permits from the Lincoln Track Club to hold the State Farm Run For Your Life road race and the Havelock Run. Heier, Workman, Stevens and Schorr voted aye. Motion carried.

B. A grant contract with CenterPointe, Inc. to assist in providing salaries and operating expenses for the Evening Report Center (ERC) which includes supervision for 25 to 30 youth annually as placed by the juvenile court and probation, in the amount of \$50,000. Term of the grant contract is July 1, 2005 through June 30, 2006. (C-06-0001)

C. A grant contract with CenterPointe, Inc. for support for the Evening Report Center (ERC) which includes supervision for 25 to 30 youth annually as placed by the juvenile court and probation as part of Lancaster County's graduated sanctions program, in the amount of \$49,600. Term of the grant contract is July 1, 2005 through June 30, 2006. (C-06-0002)

The Chief Deputy County Clerk read New Business Items 4B and 4C together.

MOTION: Stevens moved and Heier seconded approval of a grant contract with CenterPointe, Inc. to assist in providing salaries and operating expenses for the Evening Report Center (ERC) which includes supervision for 25 to 30 youth annually as placed by the juvenile court and probation, in the amount of \$50,000 and approval of a grant contract with CenterPointe, Inc. for support for the Evening Report Center (ERC) which includes supervision for 25 to 30 youth annually as placed by the juvenile court and probation as part of Lancaster County's graduated sanctions program, in the amount of \$49,600. Stevens, Heier, Workman and Schorr voted aye. Motion carried.

D. A grant contract with Cedars Youth Services for support for the Juvenile Tracker Program as part of Lancaster County's graduated sanctions program, in the amount of \$129,000. Term of the contract is July 1, 2005 through June 30, 2006. (C-06-0003)

MOTION: Heier moved and Workman seconded approval of a grant contract with Cedars Youth Services for support for the Juvenile Tracker Program as part of Lancaster County's graduated sanctions program, in the amount of \$129,000. Heier, Workman, Stevens and Schorr voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

E. An agreement with Mary Hewitt Jones, Attorney at Law, and Norman Langemach, Attorney at Law, for legal representation to indigent parents and juveniles in the Separate Juvenile Court of Lancaster County pursuant to Neb. Rev. Stat. §43-247(1), (2), (3)(a) and (b), (4), (5), (6) and (8). The County will pay up to \$243,000 for the services. Term of the agreement is from January 1, 2006 through December 31, 2008. (C-06-0004)

MOTION: Heier moved and Workman seconded approval of an agreement with Mary Hewitt Jones, Attorney at Law, and Norman Langemach, Attorney at Law, for legal representation to indigent parents and juveniles in the Separate Juvenile Court of Lancaster County pursuant to Neb. Rev. Stat. §43-247(1), (2), (3)(a) and (b), (4), (5), (6) and (8).

Stevens indicated he would like to see the aggregate limits of liability raised to one million dollars in the future.

Kristy Mundt, Deputy County Attorney, stated the County doesn't have set limits regarding professional liability insurance. She stated they could research setting limits for professional liability insurance if the Board desires.

ROLL CALL: Heier, Workman, Stevens and Schorr voted aye. Motion carried.

F. An agreement with the law firm of Thomas & Walton for legal representation to indigent parties in proceedings arising pursuant to Neb. Rev. Stat. §43-247(1), (2), (3)(a), (4), (5), (6) and (8) in the separate Juvenile Court of Lancaster County. Term of the agreement is from January 1, 2006 to December 31, 2008. The County will pay up to \$243,000 for the services. (C-06-0005)

MOTION: Workman moved and Stevens seconded approval of an agreement with the law firm of Thomas & Walton for legal representation to indigent parties in proceedings arising pursuant to Neb. Rev. Stat. §43-247(1), (2), (3)(a), (4), (5), (6) and (8) in the separate Juvenile Court of Lancaster County. Stevens, Workman, Heier and Schorr voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

G. Supplemental Agreement Number 1 revising the agreement between Lancaster County and the State of Nebraska, Department of Roads relating to the Jamaica North Trail, Project No. STPB-55(150). The supplemental agreement revises the deadline for beginning construction to April 30, 2006. (C-06-0006)

MOTION: Stevens moved and Heier seconded approval of Supplemental Agreement Number 1 revising the agreement between Lancaster County and the State of Nebraska, Department of Roads relating to the Jamaica North Trail, Project No. STPB-55(150). Heier, Stevens, Workman and Schorr voted aye. Motion carried.

H. Utility Permit No. 790 for Eric and Christie Lederer to construct a water line at approximately West Raymond and Northwest 40th Street. (C-06-0007)

MOTION: Workman moved and Stevens seconded approval of Utility Permit No. 790 for Eric and Christie Lederer to construct a water line at approximately West Raymond and Northwest 40th Street. Workman, Stevens, Heier and Schorr voted aye. Motion carried.

I. Renewal of an annual maintenance agreement with Performance Document Solutions d/b/a Professional Office Systems, Inc., in the total amount of \$2,625, for three power files located in the Clerk of the District Court's Office. Term of the agreement is February 1, 2006 through January 31, 2007. (C-06-0008)

MOTION: Workman moved and Stevens seconded approval of the renewal of an annual maintenance agreement with Performance Document Solutions d/b/a Professional Office Systems, Inc., in the total amount of \$2,625, for three power files located in the Clerk of the District Court's Office. Stevens, Workman, Heier and Schorr voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

J. Ratification of a Memorandum of Understanding between Lancaster County, Equity-in-Nebraska, the Family Violence Council, Lincoln Medical Education Partnership, Friendship Home, The Hispanic Community Center, Lincoln Police Department, Nebraska Domestic Violence Assault Coalition, and the Rape Spouse Abuse Crisis Center regarding duties and responsibilities for each entity in application for a grant to the Encourage Arrest Policies and Enforcement of Protection Orders Program, signed January 4, 2006. Grant application was submitted electronically January 6, 2006. (C-06-0009)

Gwen Thorpe, Deputy Chief Administrative Officer, gave a brief overview of the grant stating that the amount of the grant was approximately \$200,000.

MOTION: Heier moved and Workman seconded approval of the ratification of a Memorandum of Understanding between Lancaster County, Equity-in-Nebraska, the Family Violence Council, Lincoln Medical Education Partnership, Friendship Home, The Hispanic Community Center, Lincoln Police Department, Nebraska Domestic Violence Assault Coalition, and the Rape Spouse Abuse Crisis Center regarding duties and responsibilities for each entity in application for a grant to the Encourage Arrest Policies and Enforcement of Protection Orders Program, signed January 4, 2006. Stevens, Heier, Workman and Schorr voted aye. Motion carried.

K. A Region V Network Provider contract for services under the Projects for Assistance in Transition from Homelessness (PATH) Grant Program. The County, through the services of the Community Mental Health Center, will provide outreach services, community mental health services, screening and diagnostic services. Term of the contract is October 1, 2005 to September 30, 2006. The County will be compensated up to \$32,500 for the services and the County is required to match \$10,833 in cash or in kind. (C-06-0015)

MOTION: Workman moved and Stevens seconded approval of a Region V Network Provider contract for services under the Projects for Assistance in Transition from Homelessness (PATH) Grant Program.

Heier asked if there was a list of what the 'in kind' payments might be.

4) **NEW BUSINESS CONTINUED:**

Thorpe stated she was working on a list.

ROLL CALL: Stevens, Heier, Workman and Schorr voted aye. Motion carried.

L. An agreement between Olsson Associates and Lancaster County to allow Olsson to utilize the County's right-of-way for soil boring tests at the following locations: one fourth mile east of South 98th Street on Pine Lake Road and at the intersection of Rokeby Road and Breagan Road. The work will commence upon execution of the agreement and be completed by January 20, 2006. (C-06-0016)

MOTION: Heier moved and Stevens seconded approval of an agreement between Olsson Associates and Lancaster County to allow Olsson to utilize the County's right-of-way for soil boring tests at the following locations: one fourth mile east of South 98th Street on Pine Lake Road and at the intersection of Rokeby Road and Breagan Road. Stevens, Heier, Workman and Schorr voted aye. Motion carried.

M. A resolution in the matter of setting salaries for elected County officials for the 2007-2010 term of office. (R-06-0001)

MOTION: Workman moved to approve a resolution to increase salaries for elected County officials for 2007 by three percent and to increase the salaries for elected County officials for 2008-2010 at the higher of 2.5 percent or the increase in the U.S. Department of Labor Statistics CPI for all Urban Consumers, Midwest Region.

Motion died for lack of a second.

MOTION: Heier moved and Stevens seconded approval of Resolution 06-0001 in the matter of setting salaries for elected County officials for the 2007-2010 term of office. Heier, Stevens and Schorr voted aye. Workman voted no. Motion carried.

N. Recommendation from the Purchasing Agent and the Emergency Management Director to award a bid for construction of a communications tower and prefabricated building to Diversified Telecom Services, Inc., in the amount of \$406,096 using grant funds obtained by the Emergency Management Department. (B-06-0001)

4) **NEW BUSINESS CONTINUED:**

MOTION: Heier moved and Stevens seconded to award a bid for construction of a communications tower and prefabricated building to Diversified Telecom Services, Inc., in the amount of \$406,096 using grant funds obtained by the Emergency Management Department. Heier, Workman, Stevens and Schorr voted aye. Motion carried.

O. Request from James L. Haszard for attorney's fees, in the amount of \$1,998, for recovery of Social Security disability benefits for Kenneth Schroeder, Sr., pursuant to County Resolution No. 4630.

MOTION: Heier moved and Stevens seconded approval of a request from James L. Haszard for attorney's fees, in the amount of \$1,998, for recovery of Social Security disability benefits for Kenneth Schroeder, Sr., pursuant to County Resolution No. 4630. Stevens, Workman, Heier and Schorr voted aye. Motion carried.

P. Reappointment of Larry Hudkins to the District Energy Corporation Board of Directors for a two year term, beginning January 1, 2006 and ending December 31, 2007.

MOTION: Workman moved and Stevens seconded approval of the reappointment of Larry Hudkins to the District Energy Corporation Board of Directors for a two year term, beginning January 1, 2006 and ending December 31, 2007. Workman, Heier, Stevens and Schorr voted aye. Motion carried.

Q. Appointment of Alicia Henderson as the Chief Deputy County Attorney for the Juvenile Division, with an annual salary of \$105,335.

This item was moved forward on the agenda.

4) **NEW BUSINESS CONTINUED:**

R. Request from the Lancaster County Personnel Policy Board for the following:

- ▶ Change the pay grade for the following classifications: Grants Coordinator from a current pay grade of \$34,771.36 to \$45,350.24 (C20) to a proposed pay grade of \$37,918.40 to \$49,637.12 (C22) and Worker's Compensation & Risk Management Manager from a current pay grade of \$45,350.24 to \$59,870.72 (E26) to a proposed pay grade of \$49,637.12 to \$65,879.84 (E28)
- ▶ Revise the class title and change the pay grade for Detention Facilitator from a current pay grade of \$34,771.36 to \$45,350.24 (C20) to a proposed title of Juvenile Justice Coordinator and pay grade of \$43,343.04 to \$57,137.60 (C25)
- ▶ Amend Rule 17.6 of the Personnel Rules - Rate of Pay as Result of Reallocation

In response to a question asked by Stevens, Don Taute, Personnel Director, explained the pay grade increase for the Grants Coordinator was based on a comparability study and not a job audit.

MOTION: Heier moved and Stevens seconded approval of the requests as recommended by the Lancaster County Personnel Policy Board. Workman, Stevens, Heier and Schorr voted aye. Motion carried.

- 5) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1. Clerk of the District Court's Monthly Report for December, 2005.
2. County Clerk's Monthly Report for December, 2005.
3. Lancaster Manor's Monthly Report.
4. Sheriff's Report of Fees for May, 2005 through December, 2005.
5. Weed Control Authority's Monthly Report for December, 2005.
6. Weed Control Authority's Monthly Report for the Combined Weed Program with the City of Lincoln for December, 2005.

5) **CONSENT ITEMS CONTINUED:**

B. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following individuals:

- ▶ Leonard M. Buresh, Sr. and Darlene Buresh on West Mill Road east of Northwest 27th Street; Project C.P.F.-105. This is a donation. (C-06-0010)
- ▶ Ned Pierce, in the amount of \$127, on Little Salt Road west of North 148th Street; Project C.P.A-143. (C-06-0011)
- ▶ Richard and Evelyn Essink, in the amount of \$24, on Olive Creek Road west of South 176th Street; Project C.P.Y-140 & Y-161. (C-06-0012)
- ▶ Jack D. and Cheryl Scott, in the total amount of \$23,033.13, near the South 68th Street viaduct; Project C55-S-401(6). (2 contracts) (C-06-0013 and C-06-0014)

MOTION: Heier moved and Stevens seconded approval of the Consent Items. Stevens, Heier, Workman and Schorr voted aye. Motion carried.

6) **ADJOURNMENT:**

MOTION: Stevens moved and Workman seconded adjournment of the Board of Commissioners meeting at 2:34 p.m.. Heier, Workman, Stevens and Schorr voted aye. Motion carried.

Patricia Owen
Chief Deputy County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JANUARY 10, 2006
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Deb Schorr, Chair
Bob Workman, Vice Chair
Bernie Heier
Ray Stevens

Commissioners Absent: Larry Hudkins

Others Present: Kerry Eagan, Chief Administrative Officer
Scott Gaines, Chief Deputy County Assessor/Register of Deeds
Kristy Mundt, Deputy County Attorney
Patricia Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was called to order at 2:34 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, December 20, 2005.**

MOTION: Stevens moved and Workman seconded approval of minutes of the Board of Equalization meeting dated December 20, 2005. Stevens, Workman, Heier and Schorr voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 28 additions and deductions to the tax assessment rolls per Attachment "A".

MOTION: Workman moved and Stevens seconded approval of the additions and deductions. Workman, Heier, Stevens and Schorr voted aye. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

Adoration Convent
BryanLGH Medical Center
Christian Retirement Homes, Inc. d/b/a Eastmont Towers
Community Blood Bank of the Lancaster County Medical Society
Cristo Rey Church
Goodwill Industries serving Southeast Nebraska, Inc.
Mosaic
St. Joseph Catholic Church and School
Transfiguration Inc.
United Methodist Ministries
Wyuka Cemetery

MOTION: Heier moved and Stevens seconded approval of the motor vehicle tax exemptions. Heier, Workman, Stevens and Schorr voted aye. Motion carried.

4) **APPEAL OF PENALTY ASSESSED ON PERSONAL PROPERTY FOR 2005:**

El Sitio Restaurant

Scott Gaines, Deputy County Assessor/Register of Deeds, indicated the representative from El Sitio Restaurant requested the item be rescheduled at a later date.

5) **ADJOURNMENT:**

MOTION: Workman moved and Heier seconded adjournment of the Board of Equalization meeting at 2:35 p.m.. Stevens, Heier, Workman and Schorr voted aye. Motion carried.

Patricia Owen
Chief Deputy County Clerk